

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
SEATTLE DIVISION

SHELLEY PEARSON,

Civil No. 3:18-CV-05861-RAJ

Plaintiff,

VS.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

~~PROPOSED ORDER~~

Based on the stipulation of the parties, it is ORDERED that the Commissioner's decision in regard to Plaintiff's application for period of disability and disability insurance benefits under Title II of the Social Security Act be REVERSED and REMANDED to the Commissioner of Social Security for further administrative proceedings. On remand, the Appeals Council will notify Plaintiff that it intends to issue a partially favorable decision, finding Plaintiff became disabled for purposes of the Title II claim as of February 6, 2017, but not prior thereto. The Appeals Council will also notify Plaintiff that it intends to leave the Administrative Law Judge's findings with respect to the Title XVI claim undisturbed. Further, the Appeals Council will provide the claimant with time to respond to the notice and take appropriate action thereafter.

IT IS FURTHER ORDERED that the Clerk will enter judgment pursuant to this order.

This remand should be made pursuant to sentence four of 42 U.S.C. § 405(g), and Plaintiff should be entitled to reasonable attorney fees and costs, pursuant to 28 U.S.C. § 2412(d), upon proper request to this Court.

DATED this 22nd day of February, 2019.

Richard D. Jones

The Honorable Richard A. Jones
United States District Judge